

Serial No. 10/627,984

Attorney Docket No. 26A-008

**REMARKS**

Claims 10-13, 26-30, and 34-42 are pending. Claims 1-9, 14-25, and 31-33 have been canceled without prejudice or disclaimer. Claims 13 and 28-30 have been withdrawn. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The specification has been amended to correct minor typographical errors.

The office action states that claim 26 does not read on the elected species (the species of Figs. 13-20) because of the side rigid portions. However, the side rigid portions of claim 26 correspond to, for example, cells 121e, which are located at the left and right sides of the air bag of Figs. 15-18. The left and right side cells 121e are inflated by gas supplied from the inflator 122 to extend in the vertical direction. The inflated cells 121e improve the rigidity of both sides of the air bag. Thus, claim 26 reads on the elected species, and the applicants respectfully request examination of claim 26.

In addition, although claims 21-25 read on a non-elected species, these claims show that the cell (or inflation portion), which is inflated by gas, improves the rigidity of the air bag. Therefore, it is clear that the cells of the elected species (Figs. 13-20) serve as the side rigid portions.

The office action states that claim 27 does not read on the elected species (the species of Figs. 13-20) because of the unfolding direction controlling mechanism. The unfolding direction controlling mechanism of claim 27 correspond to, for example, the tension applying points 131 of Figs. 14 and 15. The left and right sides of the air bag are secured to the vehicle at the tension applying points 131. The tension applying points 131 are located in the vicinity of both sides of

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the rear window glass 25a at the middle position of the rear window glass (middle in the vertical direction). Therefore, the air bag is inflated to be unfolded downward from the upper rear end portion of the vehicle along the rear window glass (see the last paragraph on page 26 of the specification). That is, the unfolding direction controlling mechanism is constructed by securing the left and right sides of the air bag to the vehicle at the tension applying points 131. Thus, claim 27 reads on the elected species, and the applicants respectfully request examination of claim 27.

Claim 10 was rejected under 35 U.S.C. 102(b) as being anticipated by Saslekov (6,113,132). In addition, claim 10 was rejected under 35 U.S.C. 102(b) as being anticipated by Yamaguchi (JP07-186870). The applicants respectfully request that these rejections be withdrawn for the following reasons.

Claim 10 now recites that the movement restriction mechanism includes an air bag that is deployed between the rearmost seat and a rear window glass of the vehicle. The air bag includes a thickness restriction mechanism for restricting the thickness of the air bag. Support for these limitations can be found in, for example, original claim 11 and the second full paragraph on page 28 of the specification. Neither Saslekov nor Yamaguchi discloses the feature of "a thickness restriction mechanism." Therefore, the 102 rejections of claim 10 should be withdrawn.

Claims 10-12 were rejected under 35 USC 103(a) as being unpatentable over Bowers et al. (6,168,190) in view of Dominissini (6,688,641). The applicants respectfully request that this rejection be withdrawn for the following reasons.

As mentioned above, claim 10 now recites a thickness restriction mechanism. Neither Bowers et al. nor Dominissini discloses or suggests the claimed thickness restriction mechanism. Therefore, the 103 rejections of claims 10-12 is respectfully requested.

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Claims 34-42 are new. New claims 34-42 read on the elected species. Claims 34-40 are dependent on independent claim 10, which was discussed above. New claims 34-40 are considered to be patentable for at least the reasons given above with respect to their base claim.

New claim 41 depends on claim 26, which was withdrawn but reads on the elected species. New claim 41 is considered to be patentable at least because none of the references of record disclose or suggest the side rigid portions recited in claim 26.


New claim 42 depends on claim 27, which was withdrawn but reads on the elected species. New claim 42 is considered to be patentable at least because none of the references of record disclose or suggest the unfolding direction controlling mechanism recited in claim 27.

The applicants respectfully request rejoinder of claims 13 and 28-30.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,

  
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